

# EXHIBIT 8

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# Attorney Sanctioned for Actions in Handling His Own Divorce

Ben Bedell, New York Law Journal

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A Manhattan judge levied a \$10,000 sanction Friday against a lawyer who is representing himself in an acrimonious divorce and child custody case, saying he had engaged in a "maelstrom of misconduct."

[Justice Matthew Cooper](#) said Anthony Zappin had "done everything in his power to undermine the legal process and use his law license as a tool to threaten, bully and intimidate, seriously calling into question his fitness to practice law."

Zappin, a 2010 graduate of Columbia Law School, filed a "barrage of motions and a deluge of subpoenas, coupled with constant emails to the court and threats to commence Article 78 proceedings and federal civil rights actions," said Cooper.

Zappin's conduct was an attempt to prevent a child custody proceeding from being concluded, Cooper said, and also to disqualify Harriet Cohen, the attorney named by the court to protect the child's interests. Cohen recommended that Zappin only be allowed to have supervised visitation with the couple's 2-year-old boy.

Cohen, a partner at Cohen Rabin Stine Schumann, brought the sanctions motion, asserting that Zappin had engaged in a pattern of misconduct that included discontinuing the divorce action in the middle of trial, then claiming to have relocated to North Carolina, and then to West Virginia.

Zappin also lodged a misconduct complaint with the state's Office of Professional Medical Conduct against the psychiatrist Cohen hired to evaluate the child, which Cooper characterized as "reckless and dishonest."

The complaint was summarily dismissed.



Justice Cooper  
NYLJ/Rick Kopstein

Cooper said Zappin had made "numerous forays into other courts including recently filing a petition against defendant in New York County Family Court; suing defendant, her family and her lawyers in the federal district courts for the Southern District of New York and the District of Columbia; and bringing Article 78 proceedings in the Appellate Division against the judges who have been assigned to this case."

Cooper also cited Zappin's "penchant for insulting and denigrating the judges before whom he appears."

Cooper quoted from a transcript of a proceeding before Manhattan Justice Deborah Kaplan, where Zappin said to Kaplan: "I am tired of these lies coming from you on the record. It's lie after lie after lie that comes out of your mouth."

Zappin attached a handwritten note to one of his pro se filings before another judge stating "You're pathetic! (Judicial Complaint forthcoming)."

Zappin, 30, and Claire Comfort, also a Columbia Law School graduate and intellectual property attorney, were married in 2013. Zappin is an associate at Mintz Levin Cohn Ferris Glovsky and Popeo.

Comfort, 32, is an associate at Weil, Gotshal & Manges.

Cooper castigated Zappin for failing to pay half of Cohen's fees and expenses, saying Zappin's claim that his 50 percent share of the fees had rendered him "indigent" was "not even remotely plausible," noting Zappin's salary is currently \$230,000 a year.

Cohen and Comfort made numerous prior motions requesting sanctions, Cooper said in [Zappin v. Comfort](#), 301568/14, but he and Kaplan had instead "opted to caution plaintiff about his behavior and remind him of his ethical obligations as an attorney at law."

"Under these circumstances, where warnings have had no effect on plaintiff's conduct, it is incumbent—for the integrity of the judicial process, as well as for the protection of the other litigants and the child—that penalties be imposed," Cooper said.

Cooper specified that half the \$10,000 sanction be paid by Zappin to Cohen, and half be paid to the Lawyers' Fund for Client Protection.

Robert Wallack, a partner at The Wallack Firm who represents Comfort, said "Justice Cooper's thoughtful and resolute decision speaks for itself. It's clear that Mr. Zappin's continued attempts to

threaten, bully and run roughshod over everyone involved in this case will not be countenanced any longer."

Cohen said: "I was appointed to protect the interests of the child that is what I have sought to do and will continue to do."

Zappin, in an emailed statement, said, "Justice Cooper has indefensibly turned this matter involving a small boy into tabloid fodder. His ruling is little more than a press release masquerading as a 'judicial decision.'"

Zappin vowed to appeal, saying the sanctions were "nothing more than judicial retribution."

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